

# **REMARKS**

Upon entry of this amendment claims 1-19 will be pending of which claims 1 and 9 are independent.

New claims 9-19 have been added and included patentable subject matter. Applicant requests allowance of claims 9-19.

Applicant notes with appreciation Examiner's preliminary allowance of claims 3 and 5-8.

Examiner has objected to Figures 1A, 1B, 1C. A replacement drawing sheet is included with Figures 1A, 1B, and 1C showing the legend "PRIOR ART." No new matter has been added. Thus, Applicant respectfully requests withdrawal of Examiner's objection to the drawings.

Applicant has amended claim 7 to more clearly define and set forth Applicant's invention.

Claims 1, 2 and 4 are rejected under 35 USC 102(e) as being anticipated by Patent Application Publication to Beere US 2004/0095238. Applicant respectfully traverses the Examiner's rejection. Beere teaches that "successive images from each of the cameras 1 and 2 are compared to each other." *See Page 3 paragraph 0041*. Beere goes on to teach that the system compares two successive images in order to determine the "degree of difference between two successive images . . ." *See id*. Accordingly, Beere does not teach or suggest finding the similarity between a known image and a digitally recorded image in order to recognize an entity; Beere is limited to comparison of two successive images in order to determine a degree of difference between two successive images. In contrast, Applicant's claimed invention includes a "pattern recognition means for recognizing an entity in at least one digital image . . ." Comparing two successive images to find the difference, as taught by Beere, is not the same as recognizing an entity in a digital image. Thus, Beere does not teach, suggest, or disclose Applicant's claimed invention as set forth in independent claim 1. Accordingly, independent claim 1 is in condition for allowance and Applicant respectfully requests withdrawal of Examiner's rejection of independent claim 1 and full allowance of same.

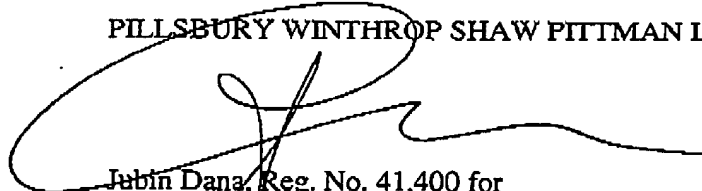
Claims 2-8 depend from and further limit independent Claim 1 and, hence, are also in condition for allowance.

All objections and rejections having been addressed, and in view of the foregoing, the claims are believed to be in form for allowance, and such action is hereby solicited. If any points

remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he or she is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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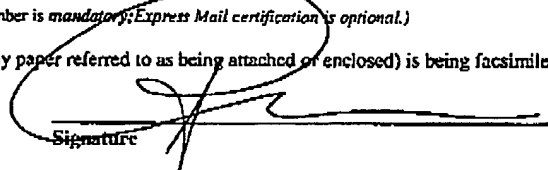
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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10\***

(When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.)

I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.

Date: July 26, 2005



Signature

JUBIN DANA

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.